

## REMARKS

This amendment is being filed as a response to the Office Action of September 21, 2007. Reconsideration is respectfully requested in view of these clarifying amendments and remarks.

### **Rejections under 35 USC § 102**

Claims 1-6, 9-12, and 15-18 have been rejected under 35 USC 102(e) as being anticipated by Salas et al. (U.S. Patent No. 7,089,297). This rejection is respectfully traversed, especially in view of the amendments made hereinabove to each of the independent claims. Accordingly, Applicants request withdrawal of this rejection for at least these reasons.

Applicant has clarified independent Claims 1, 9, 10, and 15 that now claim initializing a program on a file server through administrator action to activate the program, the program being capable of creating an account without further administrator action (see this or similar, but not necessarily identical language in the independent claims).

The Examiner has referred to the domain controller in Salas to anticipate the program on a file server. The Examiner has also asserted, with respect to the rejection of Claim 2, that “[the] domain controller is inherently activated and operating continuously.” Applicants agree with the Examiner that it is inherent that the domain server is operating continuously because this is the typical modus operandi of a distributed domain. However, the Examiner’s anticipation of a program being capable of creating an account without further administrator action with the domain controller from Salas is improper.

Salas teaches that “a network administrator may imbed certain configuration information into the program, distribute the program to users, and have the users run the program as is” (Col. 5 last line - Col. 6, line 3 - emphasis added). Therefore, the administrator must create the configuration program and distribute it to users so they can create accounts by themselves. Since the administrator requires further action beyond initializing the domain controller, as in Salas, the program [domain controller] is not capable of creating an account without further administrator action, as claimed. The configuration program, as in Salas, is the one that is capable of activating accounts, but in Salas the configuration program is run by users, and not through administrator action as claimed.

In summary, the domain controller in Salas does not anticipate the claimed account creation program, because among other reasons, the administrator in Salas must also create a configuration program and distribute it to users, and the Office’s rejection is therefore improper.

For at least these reasons, the independent claims, as amended, are submitted to be patentable over the art of record. Therefore, the Office is respectfully requested to withdraw the §102 rejection, as not all elements are taught by Salas. The dependent claims are submitted to be patentable for at least the same reasons the independent claims are believed to be patentable. The Applicants therefore respectfully request reconsideration and allowance of the pending claims. A Notice of Allowance is respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6920. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge

Deposit Account No. 50-0805 (Order No. ADAPP256). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,  
MARTINE PENILLA & GENCARELLA, LLP

/Jose M. Nunez/

Jose M. Nunez  
Reg. No. 59,979

710 Lakeway Drive, Suite 200  
Sunnyvale, CA 94085  
Telephone: (408) 749-6900  
Facsimile: (408) 749-6901